

February 2, 2010

TO: Members of the MAG Management Committee

FROM: Mark Pentz, Chandler, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Wednesday, February 10, 2010 - 12:00 noon
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

The next Management Committee meeting will be held at the MAG offices at the time and place noted above. Members of the Management Committee may attend the meeting either in person, by videoconference or by telephone conference call. The agenda and summaries are also being transmitted to the members of the Regional Council to foster increased dialogue between members of the Management Committee and Regional Council. You are encouraged to review the supporting information enclosed. Lunch will be provided at a nominal cost.

Please park in the garage under the building, bring your ticket, parking will be validated. For those using transit, Valley Metro/RPTA will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

Members are reminded of the importance of attendance by yourself or a proxy. Any time that a quorum is not present, we cannot conduct the meeting. Please set aside sufficient time for the meeting, and for all matters to be reviewed and acted upon by the Management Committee. Your presence and vote count.

c: MAG Regional Council

**MAG MANAGEMENT COMMITTEE
TENTATIVE AGENDA
February 10, 2010**

COMMITTEE ACTION REQUESTED

1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity is provided to the public to address the Management Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non-action agenda items that are on the agenda for discussion or information only. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Management Committee requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Management Committee on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).	5. Recommend approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of January 13, 2010, Meeting Minutes</u>	5A. Review and approval of the January 13, 2010, meeting minutes.
---	---

TRANSPORTATION ITEMS***5B. Regional Community Network Roles and Responsibilities**

The Regional Community Network (RCN) project is a fiber optic communications network that, when completed, would connect all MAG member agencies for the primary purpose of coordinating traffic control operations between neighboring agencies. The first phase of the project is currently being implemented by the Arizona Department of Transportation through an Intelligent Transportation Systems (ITS) project. The RCN Working Group, consisting of members of the MAG ITS Committee and the MAG Technology Advisory Group (TAG), has developed a Roles and Responsibilities document to facilitate the operation of the network. The MAG ITS Committee, the MAG TAG, and the Transportation Review Committee recommended approval of the Roles and Responsibilities document. Also included is an update on the implementation of the current phase. Please refer to the enclosed material.

***5C. Recommendation to the Arizona Department of Transportation's Safe Routes to School Program**

The Arizona Department of Transportation's (ADOT) Safe Routes to School (SRTS) Program provides annual grants for road safety improvement projects that are related to access to schools. The program provides grants to public and nonprofit agencies for projects that improve road safety and encourage more K-8 children to walk or bike to their neighborhood schools. This is the fourth cycle of the program, and grants will be provided to projects that implement infrastructure improvements as well as projects that would involve education, training and encouragement. In response to the ADOT request for proposals announced in October 2009, a total of 10 project applications from the MAG region was received by ADOT. The ADOT proposal review process stipulates that MPOs and COGs must recommend a ranked list of projects to ADOT by February 26, 2010. These recommendations will be considered by a

5B. Recommend approval of the Regional Community Network Roles and Responsibilities document.

5C. Recommend approval of the ranked list of projects to be submitted to the Arizona Department of Transportation for the Safe Routes to School Program.

statewide SRTS panel that will make a final recommendation to ADOT. The MAG Transportation Safety Committee reviewed all project proposals, and on January 26, 2010, recommended a ranked list of projects from the region as the MAG recommendation to ADOT. Please refer to the enclosed material.

*5D. On-Call Transportation Planning Consultant Services Program

MAG presently uses on-call services contracts to supplement staff capabilities with expertise in specialized areas of Intelligent Transportation Systems (ITS), Safety, and Transportation Modeling to expedite delivery of key programs in the Unified Planning Work Program (UPWP). As transportation planning demands continue to expand at MAG, a new on-call services contract is sought for general transportation planning applications. For this proposed On-Call Transportation Planning Consultant Services program, MAG will select qualified consultants to assist staff in the following five service areas: Civil Engineering, Transportation Planning, Transportation Operations, Policy and Finance, and Public Involvement. An amendment is needed to the FY 2010 MAG Unified Planning Work Program and Annual Budget to include \$150,000 for an On-Call Transportation Planning Consultant Services program. Please refer to the enclosed material.

*5E. Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program and FY 2010 Arterial Life Cycle Program

The Fiscal Year (FY) 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from ADOT, Peoria, City of Phoenix, and the Regional Public Transportation Authority to add new highway and transit projects and modify project costs in the programs. The new projects being added to the TIP are fiscally constrained and funding is available. Please refer to the enclosed material.

5D. Recommend amending the FY 2010 MAG Unified Planning Work Program and Annual Budget for \$150,000 to provide for an On-Call Transportation Planning Consultant Services program.

5E. Recommend approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, the FY 2011 Arterial Life Cycle Program, and as appropriate, to the Regional Transportation Plan 2007 Update.

*5F. Programming of Projects for MAG Federal Congestion Mitigation and Air Quality Funding in the Draft 2011-2015 MAG Transportation Improvement Program

The MAG Regional Transportation Plan (RTP) allocates MAG Federal Congestion Mitigation and Air Quality (CMAQ) funds to specific modes, and, in some cases, identifies specific projects for the funds. For Intelligent Transportation Systems (ITS), Bicycle, Pedestrian and Air Quality projects, the RTP identified CMAQ allocations, but did not specify individual projects. The CMAQ funding available for PM-10 Pave Unpaved Road projects in FY 2013 is \$4.904 million; \$6.887 million is available for ITS projects in FY 2014; \$8.737 million is available for Bicycle and Pedestrian projects in FY 2014; and \$7.503 million is available for Air Quality/Travel Demand Management Programs. Applications were made available in August 2009 with a due date of September 18, 2009. The related technical advisory committees (TAC) went through a two-tiered committee review process starting in October that resulted in project rankings by the ITS and Bicycle/Pedestrian Committees in November and the Air Quality TAC in December. The Transportation Review Committee (TRC) met in December 2009 and recommended modifications to federal funds for ITS, bicycle/pedestrian, and pave unpaved road projects. MAG staff coordinated the modified project funding amounts and information with the corresponding agency for agreement and modification of project, scope, and costs. This process follows the Draft MAG Federal Fund Programming Principles. In January 2010, the TRC recommended approval of the projects as shown in the attached tables. Please refer to the enclosed material.

*5G. American Recovery and Reinvestment Act (ARRA) Monthly Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region details the status of project development as of January 19, 2010. The report covers highway, local, transit, and enhancement projects programmed with

5F. Recommend approval of a list of Congestion Mitigation and Air Quality funded projects to be added to the Draft FY 2011-2015 MAG Transportation Improvement Program.

5G. Information and discussion.

ARRA funds and the status of project development milestones per project. Please refer to the enclosed material.

AIR QUALITY ITEMS

*5H. New Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, As Amended

On July 25, 2007, the MAG Regional Council approved a Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program (TIP) and MAG Regional Transportation Plan 2007 Update. Since that time, an amendment has been proposed that includes a design-build project to complete High Occupancy Vehicle (HOV) lanes on the Santan Freeway Loop 202 from Interstate-10 to approximately Gilbert Road, including the ramp connections at Interstate-10 and Loop 101, and a design-build project to complete the HOV lanes and other improvements on Loop 101 from Tatum Boulevard to the junction with Interstate-10. MAG has conducted a regional emissions analysis for the proposed amendment and the results of the regional emissions analysis, when considered together with the TIP and RTP as a whole, indicate that the transportation projects will not contribute to violations of federal air quality standards. On January 25, 2010, a 30-day public review period began on the conformity assessment and amendment. Comments are requested by February 24, 2010. Please refer to the enclosed material.

*5I. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program (TIP). The proposed amendment and administrative modification involve projects for Peoria and the Arizona Department of Transportation for FY 2010. In addition, the amendment and administrative modification involves Regional Public

5H. Recommend approval of the new Finding of Conformity for the FY 2008-2012 MAG Transportation Improvement Program and Regional Transportation Plan 2007 Update, as amended.

5I. Consultation.

Transportation Authority and City of Phoenix projects funded through the Job Access and Reverse Commute and New Freedom programs. The amendment includes projects that are exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Comments on the conformity assessment are requested by February 24, 2010. Please refer to the enclosed material.

GENERAL ITEMS

*5J. Development of the FY 2011 MAG Unified Planning Work Program and Annual Budget

Each year, the MAG Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in April and approved by the Regional Council in May. To provide an early start in developing the Work Program and Budget, this presentation is an overview of MAG's draft proposed new projects for the FY 2011 Work Program. The updated draft budget timeline, the invitation for the Budget Webinar presentation on February 25, 2010, at 1:30 P.M. in the MAG Palo Verde Room, and estimated dues and assessments are included with the budget documents. Please refer to the enclosed material.

*5K. MAG FY 2011 Regional Human Services Plan

The FY 2011 Regional Human Services Plan recommends funding allocations for the Social Services Block Grant (SSBG). The plan also presents the strategies used by public and private agencies to address the impact of the recession on human services delivery. On January 14, 2010, the MAG Human Services Technical Committee voted unanimously to recommend approval of the FY 2011 Regional Human Services Plan, including the SSBG allocations. On January 19, 2010, the MAG Human Services Coordinating Committee voted unanimously to recommend approval of the FY 2011 MAG Regional Human Services Plan and the SSBG allocation recommendations. Please refer to the enclosed material.

5J. Information and input on the development of the fiscal year (FY) 2011 MAG Unified Planning Work Program and Annual Budget.

5K. Recommend approval of the MAG FY 2011 Regional Human Services Plan, including the Social Services Block Grant allocation recommendations.

- *5L. Status Update on the June 30, 2009 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2009

The public accounting firm of LarsonAllen, LLP, has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2009. An unqualified audit opinion was issued on January 29, 2010, on the financial statements of governmental activities, the discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there was a significant deficiency in MAG's internal control over financial reporting considered to be a material weakness that was corrected prior to the issuance of the statements. There were no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no repeat findings. No new or repeat Management Letter comments were issued for the fiscal year ended June 30, 2009. Please refer to the enclosed material.

- 5L. Recommend acceptance of the audit opinion issued on the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2009.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Proposed Federal Economic Stimulus Legislation

On December 16, 2009, the U.S. House of Representatives passed H.R. 2847 which provides additional infrastructure investments to stimulate the economy. The Senate is slated to take up the house bill in the near future and substantial changes could be made before the bill is passed by Congress and signed by the President. As passed by the House, an additional \$27.5 billion of funding for highways and \$8.4 billion for public transit are provided using the same allocation and process that were part of the first stimulus package (ARRA). One important difference is the dramatically shorter time frames to spend the

6. Information and discussion.

funds. The new bill requires that one-half of the highway and transit funds need to be under contract within 90 days of when the funds become available. Under Contract means the project has been advertised for bid, bids received and evaluated, the bid award made, and the contract signed within 90 days. As an example, under ARRA, 50 percent of the funds allocated to state DOT's had to be obligated within 180 days. Obligation occurs when the FHWA authorizes the project to be advertised to bid. The 90-day deadline for half of the funds to be under contract also applies to funds allocated to local governments through MAG.

The timing of final Congressional action on another round of stimulus funding is unknown but March 2010 is being used as a rough target at this time. If the 90-day period remains to have 50 percent of the funding under contract, only projects that are through all of the approval processes required will be likely candidates for funding.

7. Financial Planning and Fiscal Constraint Requirements for Federal Transportation Funding and Status of Federal Funds Rescission at the Arizona Department of Transportation

Federal transportation planning regulations require that the MAG Transportation Improvement Program (TIP) and the Regional Transportation Plan demonstrate that adequate funding is available to build, operate and maintain transportation projects. The Federal Transit Administration is now asking for MAG to concur with grant requests that involve new or expanded service or new capital fixed assets and to state that sufficient financial resources are available at the regional or local level operate and maintain the assets for which the grant is being submitted. For the purchase of new buses to implement new or expanded service, this means that MAG has to state that the transit operator has adequate funds to operate the new or expanded service. MAG staff need to collect and analyze the necessary financial information to make such determinations in the future.

7. Information and discussion.

On another financial issue, for several months, MAG staff have attempted to receive financial information from the Arizona Department of Transportation (ADOT) to determine the status of remaining federal fund balances. Federal fiscal year 2008 was closed out and we received the 2008 final balances in May 2009. MAG has not received any information on federal fund transactions from October 2008 to today. Receiving information on fund balances has been hampered by previous lack of financial staff resources at ADOT and the more recent complexity of the short time frame to spend stimulus funds and the rescission of federal highway funds. On February 1, 2010, MAG received a letter from ADOT indicating that Arizona lost nearly \$171 million of federal apportionments and that the federal fiscal year 2009 closeout process zeroed out (or nearly zeroed out) virtually every category of federal funds, including Surface Transportation Program (STP) funds. All unused sub allocations were also rescinded, which means any balances local agencies have built up over the years are gone. These rescissions will also carry forward to FY 2010, meaning a reduction in federal funds. It is our understanding that some of the MAG Grant Anticipation Notes (GANS) were prepaid with STP to avoid losing the federal funds. This may mean that some of the MAG STP funds previously programmed to pay the GANS are still available. Also, Arizona does receive a minimum guarantee of federal funds and this may still be available. The financial information from ADOT is being explored. At risk is a previous MAG estimated fund balance of \$30million-\$50 million that was programmed for projects. Please refer to the enclosed material.

AIR QUALITY ITEMS

8. 2008 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10

The MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area was submitted to the Environmental Protection Agency by December 31, 2007, as required by the Clean Air Act. Commitments to implement measures in

8. Recommend forwarding the 2008 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 in the Maricopa County Nonattainment Area to the Governor's Office, Legislature, Arizona Department of Environmental Quality, and the Environmental Protection Agency.

the Plan were received from the State, Maricopa County, and the twenty-three local governments in the PM-10 nonattainment area. The Plan includes fifty-three committed measures that began implementation in 2008. On May 23, 2007, the MAG Regional Council approved additional items for the Suggested List of Measures to Reduce PM-10 Particulate Matter. One of these items was that each year, MAG would issue a report on the status of the implementation of the committed measures for this region by the cities, towns, Maricopa County, and the State. The report would be made available to the Governor's Office, Legislature, Arizona Department of Environmental Quality, and the Environmental Protection Agency. A report has been prepared that provides the implementation status of the committed measures for calendar year 2008. On January 28, 2010, the MAG Air Quality Technical Advisory Committee recommended forwarding the 2008 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 in the Maricopa County Nonattainment Area to the Governor's Office, Legislature, Arizona Department of Environmental Quality, and the Environmental Protection Agency. Please refer to the enclosed material.

GENERAL ITEMS

9. Request for Future Agenda Items

Topics or issues of interest that the Management Committee would like to have considered for discussion at a future meeting will be requested.

10. Comments from the Committee

An opportunity will be provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

11. Adjournment

9. Information and discussion.

10. Information.